

## REMARKS

Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

### Rejections under 35 U.S.C. §103

Claims 1, 2, 6-8, 12, 13, 15, 16, 17, 21-28, 30 and 31 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,195,187 to Yang. Applicant respectfully traverses this rejection.

In response, independent claim 1 has been further limited to "a zippered closure disposed on each of the plurality of pockets with an orientation that extends generally downwards or away from a neck aperture of the jacket with a zipper of the zipped closure that opens the pocket by being pulled generally downwards or away from the neck aperture". Claim 21 has been similarly limited. Support for this limitation is provided in FIG. 1 of the specification. As shown in FIG. 1, zippers 48, 50, for example, extend generally downwards or away from a neck hole of the jacket with a zipper 52, 54 of the zipped closure that opens the pocket by being pulled generally downwards or away from the neck hole.

Independent claim 22 has been further limited to "a plurality of receptacles disposed on an inside surface of a first jacket panel of the pair of jacket panels, said plurality of receptacles being adapted to releasably receive police equipment; and a cover flap that falls into place to re-secure remaining restraint devices after a restraint device has been removed, said cover flap being coextensive with a set of openings of the plurality of receptacles and having an interior pocket

inside the cover flap". Support for the additional limitations may be found in FIG. 3 of the specification. As shown in FIG. 3 and as described in paragraph [0053], receptacles 94, 96, 98, 102, 104, 106 are disposed on an inside surface of a first jacket panel of a pair of jacket panels. FIG. 3 also shows flaps 106, 108 that are disposed over and that are coextensive with the openings of receptacles 94, 96, 98 and 102, 104, 106, respectively. In addition, FIG. 3 shows and paragraph [0056] of the specification describes the interior pockets 114, 120 of the cover flaps 106, 108.

Claim 1 is now limited to "a zippered closure disposed on each of the plurality of pockets with an orientation that extends generally downwards or away from a neck aperture of the jacket with a zipper of the zipped closure that opens the pocket by being pulled generally downwards or away from the neck aperture so that only a single hand of the user is required to open each of the closures". Claim 21 is now limited to "a plurality of pockets with zippers disposed on the pair of front jacket panels, the zippers extending generally downwards or away from a neck aperture of the jacket with the zippers opening the pockets by being pulled generally downwards or away from the neck aperture so that only a single hand of the user is required to open the pockets". In contrast, Yang merely shows pockets with horizontal zippers 7a, 7b, 5a, 5b or vertical zippers 10a, 10b that are opened by pulling the zipper upwards. As such, Yang does not do the same or any similar thing as that of the claimed invention.

In addition, claim 1 is limited to "a plurality of pocket adapted to receive police equipment". As shown in FIG. 4, pockets 44, 46 are clearly adapted for use with police batons. The zippers 52, 54 are oriented so that they can be opened by a single hand by pulling the zippers 52, 54 downward or away from the neck of the wearer of the jacket.

The orientation of the zippers 52, 54 serves an important function in the context of the claimed invention. As would be clear to those of skill in the art, during a struggle with a criminal, a police officer has only a limited ability to retrieve and use weapons. The downward orientation of the zipper away from the neck of the police officer allows the officer to fend off the criminal with one hand while he/she retrieves a weapon with the other hand.

In contrast, Yang is explicitly directed to "a protective pocket garb having pockets of large capacity, which can contain large quantities of money or articles like a portfolio, suitcase or handbag" (Yang, col. 1, lines 2-31). The pockets 6a, 6b of Yang are clearly incapable of efficiently functioning as a receptacle for police equipment. For example, the pockets 44, 46 of the claimed invention are long and narrow and, therefore, adapted for use with a baton. The long and narrow pocket holds the baton with a fixed orientation with a handle end of the baton retained in the uppermost position, so the officer can retrieve the baton without fumbling for the handle. Further, receptacles 32, 34 are "adapted for use with a handgun . . . Consistent with this adaptation, the zippers 40, 42 may be approximately 7 inches long to allow insertion of the handgun 200, 202 . . . To further facilitate quick recovery of the gun, the pockets 32, 34 may extend downward from a bottom of the zipper 40, 42 and be provided with a tapered bottom . . . The tapered bottom functions to retain a barrel of the gun in a downward direction, thereby assuring that the handle of the gun is always readily available adjacent the opening provided by the zipper 40, 42" (specification, par. [0035]).

In contrast, Yang fails to provide any teaching or suggestion of a jacket adapted for police equipment. In general, the Yang pockets are rectangular. Placing police equipment within the rectangular Yang pockets would result in the police equipment assuming a random orientation.

The assumption of a random orientation would prevent the Yang vest from functioning in the same way as that of the claimed invention.

Claims 22-31 are limited to "a plurality of receptacles disposed on an inside surface of a first jacket panel of the pair of jacket panels, said plurality of receptacles being adapted to releasably receive police equipment; and a cover flap that falls into place to re-secure remaining restraint devices after a restraint device has been removed, said cover flap being coextensive with a set of openings of the plurality of receptacles and having an interior pocket inside the cover flap". FIG. 3 clearly shows flaps 106, 108 disposed over and coextensive with the openings of mutually adjacent receptacles 94, 96, 98 and 102, 104, 106, respectively. In addition, FIG. 3 shows and paragraph [0056] of the specification describes the interior pockets 114, 120 within the cover flaps 106, 108 and the symbiotic relationship where the receptacles holds restraint devices and the interior pockets hold keys.

In contrast, Yang merely shows a number of disparate pockets 6a, 10a, 11. The pockets referred to by the Examiner are on an outside of the Yang jacket. As such, Yang clearly fails to meet the claim limitation requiring "plurality of receptacles . . . disposed on an inside surface of a first jacket panel".

In addition, the Examiner's cover flap 20 is merely a leather facing 20 (Yang, col. 4, lines 22-27) used to prevent a zipper 19 from pulling apart. As such, Yang clearly fails to meet the limitations requiring "plurality of receptacles . . . disposed on an inside surface of a first jacket panel" or "a cover flap that falls into place to re-secure remaining restraint devices after a restraint device has been removed" or a "cover flap . . . coextensive with a set of openings of the plurality of receptacles and having an interior pocket".

For any of the above reasons, Yang does not do the same or any similar thing as that of the claimed invention. Since Yang does not do the same or any similar thing as that of the claimed invention, the rejections are improper and should be withdrawn.

Claims 1, 2, 15-18 and 19-21 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,603,646 to Tobias. Applicant respectfully traverses this rejection.

It may be noted in this regard that Tobias fails to show either "a plurality of pockets adapted to receive police equipment disposed within a secure area of the jacket" or "a zippered closure disposed on each of the plurality of pockets with an orientation that extends generally downwards or away from a neck aperture of the jacket with a zipper of the zipped closure that opens the pocket by being pulled generally downwards or away from the neck aperture". As with Yang, the Tobias pockets are generally rectangular and are not adapted for receiving police equipment. The stash pocket and zipper 104 fail to provide any indication of intended use or configuration for the intended use. In addition, the zipper 104 gives no indication of a direction of use and would in all likelihood open in an upward direction in a manner similar to conventional zippers.

Similarly, the zipper closure 153 is merely a closure for an emergency panel 150 (Tobias, col. 3, lines 2-8). Since emergency panel 150 is only sewn at its top and sides, the emergency panel 150 could not function as a pocket.

For any of the above reasons, Tobias does not do the same or any similar thing as that of the claimed invention. Since Tobias does not do the same or any similar thing as that of the claimed invention, the rejections are improper and should be withdrawn.

Claims 1, 2, 15-19 and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by

U.S. Pat. No. 6,314,579 to Marcon. Applicant respectfully traverses this rejection.

It may be noted in this regard that Marcon fails to show either "a plurality of pockets adapted to receive police equipment disposed within a secure area of the jacket" or "a zippered closure disposed on each of the plurality of pockets with an orientation that extends generally downwards or away from a neck aperture of the jacket with a zipper of the zipped closure that opens the pocket by being pulled generally downwards or away from the neck aperture". As with Yang and Tobias, the Marcon pockets are generally rectangular and are not adapted for receiving police equipment.

For any of the above reasons, Marcon does not do the same or any similar thing as that of the claimed invention. Since Marcon does not do the same or any similar thing as that of the claimed invention, the rejections are improper and should be withdrawn.

Claims 1, 2, 6-8, 12, 13, 15-19, 22-25, 27, 28 and 31 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,718,000 to Ost et al. Applicant respectfully traverses this rejection.

It may be noted in this regard that Ost fails to show either "a plurality of pockets adapted to receive police equipment" or "a zippered closure disposed on each of the plurality of pockets with an orientation that extends generally downwards or away from a neck aperture of the jacket with a zipper of the zipped closure that opens the pocket by being pulled generally downwards or away from the neck aperture". As with Yang, Tobias and Marcon, the Ost pockets are generally rectangular and are not adapted for receiving police equipment.

It may be noted with regard to claim 22 that Ost also fails to provide any teaching of "a cover flap that falls into place to re-secure remaining restraint devices after a restraint device has

been removed, said cover flap being coextensive with a set of openings of the plurality of receptacles and having an interior pocket". No cover flap is shown that is coextensive with a set of openings.

For any of the above reasons, Ost does not do the same or any similar thing as that of the claimed invention. Since Ost does not do the same or any similar thing as that of the claimed invention, the rejections are improper and should be withdrawn.

Claims 1, 2 and 12 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 2,150,251 to Shanhouse. Applicant respectfully traverses this rejection.

It may be noted with regard to claims 1 that Shanhouse fails to show either "a plurality of pockets adapted to receive police equipment disposed within a secure area of the jacket" or "a zippered closure disposed on each of the plurality of pockets with an orientation that extends generally downwards or away from a neck aperture of the jacket with a zipper of the zipped closure that opens the pocket by being pulled generally downwards or away from the neck aperture ". As with Yang, Tobias, Marcon and Ost, the Shanhouse pockets are generally rectangular and are not adapted for receiving police equipment.

For any of the above reasons, Shanhouse does not do the same or any similar thing as that of the claimed invention. Since Shanhouse does not do the same or any similar thing as that of the claimed invention, the rejections are improper and should be withdrawn.

#### Claims Rejections under 35 U.S.C. §103

Claim 9 stands rejected under 35 U.S.C. §103(a) as being obvious over Ost et al. Applicant respectfully traverses this rejection.

Claim 9 is dependent upon claim 1. Since, as demonstrated above, claim 1 is allowable, then so to is claim 9.

Claims 10 and 11 stand rejected under 35 U.S.C. §103(a) as being obvious over Ost et al. in view of U.S. Pat. No. 1,773,442 to Speh. Applicant respectfully traverses this rejection.

It may be noted with regard to claims 10 and 11 that Speh, as with Ost, fails to show either "a plurality of pockets adapted to receive police equipment" or "a zippered closure disposed on each of the plurality of pockets with an orientation that extends generally downwards or away from a neck aperture of the jacket with a zipper of the zipped closure that opens the pocket by being pulled generally downwards or away from the neck aperture". As with Ost, the Speh pockets are generally rectangular or semicircular and are not adapted for receiving police equipment.

For any of the above reasons, Ost and Speh does not teach or suggest each and every claim limitation. Since the combination does not teach each and every claim limitation, the rejections are improper and should be withdrawn.

Claims 14 stands rejected under 35 U.S.C. §103(a) as being obvious over Ost et al. in view of U.S. Pat. No. 4,637,075 to Ingrisano et al. Applicant respectfully traverses this rejection.

It may be noted in this regard that Ingrisano et al., as with Ost, fails to show either "a plurality of pockets adapted to receive police equipment" or "a zippered closure disposed on each of the plurality of pockets with an orientation that extends generally downwards or away from a neck aperture of the jacket with a zipper of the zipped closure that opens the pocket by being pulled generally downwards or away from the neck aperture". As with Ost, the Ingrisano et al. pockets are generally rectangular or semicircular and are not adapted for receiving police

equipment.

For any of the above reasons, Ost and Ingrisano et al. do not teach or suggest each and every claim limitation. Since the combination does not teach each and every claim limitation, the rejections are improper and should be withdrawn.

Claims 3-5 stands rejected under 35 U.S.C. §103(a) as being obvious over Shanhouse in view of U.S. Pat. No. 3,738,367 to Hardy. Applicant respectfully traverses this rejection.

It may be noted in this regard that Hardy, as with Shanhouse, fails to show either "a plurality of pockets adapted to receive police equipment disposed within a secure area of the jacket" or "a zippered closure disposed on each of the plurality of pockets with an orientation that extends generally downwards or away from a neck aperture of the jacket with a zipper of the zipped closure that opens the pocket by being pulled generally downwards or away from the neck aperture". In addition, Hardy does not have pockets.

For any of the above reasons, Shanhouse and Hardy (and the combination) do not teach or suggest each and every claim limitation. Since the combination does not teach each and every claim limitation, the rejections are improper and should be withdrawn.

Claims 22-25 and 27-31 stand rejected under 35 U.S.C. §103(a) as being obvious over Shanhouse in view of Ost et al. Applicant respectfully traverses this rejection.

Shanhouse and Ost et al. (and the combination) fail to provide any teaching of a "cover flap being coextensive with a set of openings of the plurality of receptacles and having an interior pocket inside the cover flap ". No cover flap is shown in either reference that is coextensive with a set of openings. No flap is shown in either reference with an interior pocket.

For any of the above reasons, Shanhouse and Ost et al. (and the combination) do not teach or

suggest each and every claim limitation. Since the combination does not teach each and every claim limitation, the rejections are improper and should be withdrawn.

Closing Remarks

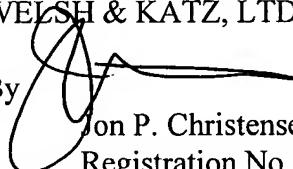
For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Primary Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Primary Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,

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